

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No. SACV 12-01822-CJC(ANx)

Date: October 31, 2012

Title: JONATHAN R. CAGUIOA, ET AL. v. BANK OF AMERICA, N.A., ET AL.

PRESENT:

HONORABLE CORMAC J. CARNEY, UNITED STATES DISTRICT JUDGE

Nancy Boehme
Deputy Clerk

N/A
Court Reporter

ATTORNEYS PRESENT FOR PLAINTIFF: ATTORNEYS PRESENT FOR DEFENDANT:

None Present

None Present

**PROCEEDINGS: (IN CHAMBERS) ORDER TO SHOW CAUSE WHY THIS
CASE SHOULD NOT BE DISMISSED FOR FAILURE TO STATE A CLAIM**

Plaintiffs filed this action against Defendants asserting six causes of actions related to a mortgage on their property. Based upon a review of the Complaint, it appears that Plaintiffs fail to state a claim upon which relief can be granted. More specifically, Plaintiffs' claims rely entirely on allegations that Defendants do not have an interest in Plaintiffs' property because of the securitization process, a theory which courts have repeatedly rejected. Accordingly, the Court orders Plaintiffs to show cause why this case should not be dismissed for failure to allege any cognizable claim. Plaintiffs shall file an opposition to the Court's order to show cause by November 14, 2012. Defendants shall then have until November 21, 2012 to file a response. This matter will be decided on the papers without any hearing.

mtg

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Initials of Deputy Clerk nkb